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ALZA Corporation

Attorneys for Defendant
IMPAX Laboratories, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALZA CORPORATION,

Plaintiff,

v.

IMPAX LABORATORIES, INC.,

Defendant.

CASE NO. C 03-4032 VRW

**SUPPLEMENTAL JOINT CASE
MANAGEMENT STATEMENT AND
SCHEDULING ORDER**

Judge: The Honorable Vaughn R. Walker

Plaintiff Alza Corporation (“Alza”) and Defendant IMPAX Laboratories, Inc. (“IMPAX”) respectfully jointly submit this SUPPLEMENTAL JOINT CASE MANAGEMENT STATEMENT AND SCHEDULING ORDER and request the Court adopt it in this case.

INTRODUCTION

On September 2, 2005, the Court set the trial in this action to begin on February 27, 2006, and set a pretrial conference for February 7, 2006. After further discussion, the Parties have agreed upon dates for pretrial submissions and exchanges of exhibits and other required information. Accordingly, Alza and IMPAX respectfully submit the following Stipulation.

STIPULATION

1. Pretrial proceedings will be governed by the following schedule:

Parties meet and confer regarding: exhibits and trial material, and objections thereto; Joint Pretrial Conference Statement and Proposed Order; and coordinated submission of trial exhibits and other materials	November 16, 2005
Alza serves its: <ul style="list-style-type: none"> • list of exhibits to be offered at trial (including one copy of each exhibit) other than for impeachment or rebuttal; • list of live witnesses to be called at trial, other than for impeachment or rebuttal; • statements designating witness testimony by means of deposition (specifying the witness and page line references), from interrogatory answers, and from responses to requests for admission to be offered at trial, other than for impeachment or rebuttal; and • contested facts to be proven at trial. 	November 30, 2005
IMPAX serves its: <ul style="list-style-type: none"> • objections to Alza’s list of exhibits to be offered at trial; and • objections and counter-designations to Alza’s statements designating witness testimony by means of deposition, from interrogatory answers, and from responses to requests for admission to be offered at trial. 	December 7, 2005

1	IMPAX serves its:	December 7, 2005
2	• list of exhibits to be offered at trial (including one	
3	copy of each exhibit), other than for impeachment	
4	or rebuttal;	
5	• list of live witnesses to be called at trial, other than	
6	for impeachment or rebuttal;	
7	• statements designating witness testimony by	
8	means of deposition (specifying the witness and	
9	page line references), from interrogatory answers,	
10	and from responses to requests for admission to be	
11	offered at trial, other than for impeachment or	
12	rebuttal; and	
13	• contested facts to be proven at trial.	
14	Alza serves its:	December 14, 2005
15	• objections to IMPAX's list of exhibits to be	
16	offered at trial; and	
17	• objections and counter-designations to IMPAX's	
18	statements designating witness testimony by	
19	means of deposition, from interrogatory answers,	
20	and from responses to requests for admission to be	
21	offered at trial.	
22	Parties jointly file Joint Pretrial Conference Statement,	December 21, 2005
23	including pretrial disclosures	
24	Alza files and serves its pre-trial brief	January 9, 2006
25	IMPAX files and serves its pre-trial brief	January 20, 2006
26	Parties file and serve briefs on all significant disputed	January 27, 2006
27	issues of law including motions <i>in limine</i>	
28	Parties file and serve responses to disputed issues of law	February 3, 2006
	and motions <i>in limine</i> .	January 31, 2006
	Parties serve all schedules, summaries, diagrams, and	February 3, 2006
	charts to be used at trial other than for impeachment or	
	rebuttal.	

2. The parties agree that if a fact witness is identified who was not deposed in this case, then that witness will be made available for deposition prior to the filing of the Joint Pretrial Conference Statement.

Dated: September 14, 2005

PATTERSON, BELKNAP,
WEBB & TYLER LLP

QUINN EMANUEL URQUHART
OLIVER & HEDGES, LLP

By: _____/s/
David Eiseman
Attorneys for Plaintiff
ALZA Corporation

Dated: September 14, 2005

GOODWIN PROCTER LLP

SHEPPARD, MULLIN, RICHTER &
HAMPTON LLP

By: _____/s/_____
Neil A. Smith
Attorneys for Defendant
IMPAX Laboratories, Inc.

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Dated:

